

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: January 20, 2023

Time: 12:00 – 12:42

Judge: SUSAN ILLSTON

Case No.: [22-cr-00210-SI-1](#)

42 Minutes

Case Name: United States v. Christopher James Wagner

Attorney for Government: Christa Hall

Attorney for Defendant: Daniel Blank

Defendant: [X] Present [] Not Present

Defendant's Custodial Status: [] In Custody [X] Not in Custody

Deputy Clerk: Esther Chung

Court Reporter: Ana Dub

Interpreter: n/a

Probation Officer: Katrina Chu

PROCEEDINGS

Sentencing Hearing – held.

SUMMARY

Defendant confirmed for the Court that he had been provided and reviewed the Presentence Report. Defense counsel, Mr. Blank, indicated that Defendant was objecting to the Presentence Report regarding the enhancement and was requesting an evidentiary hearing. The Court stated that it had found that the enhancement was inappropriate making the evidentiary hearing moot. Mr. Blank further objected to the JVTAs due to Mr. Wagner's indigent status. Court found Mr. Wagner as being indigent and stated the parties will reconvene at a later date to discuss restitution in this matter.

The Court provided its tentative sentencing thoughts, Mr. Blank offered arguments in support of Defendant's sentencing recommendation. Defendants addressed the Court. The Government's counsel, Ms. Hall, addressed Mr. Blank's arguments.

Defendant is committed to the Bureau of Prisons for a term of 60 months followed by 15 years of supervised release on Count 1 of the Information.

A special assessment fee of \$100 is imposed. Fine is waived.

Restitution will be determined at a future proceeding.

The defendant's interest in the following property shall be forfeited to the United States:

1. Any visual depiction described in Title 18, United States Code, Sections 2251 or 2251A or 2252, or any book magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;

2. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses;
3. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses;
4. 1 Dell Precision 5820;
5. 1 Juniper Networks SRX240 ethernet port;
6. Netgear GS 110 MX unmanaged switch ethernet port; and
7. 1 Synology Disk Station Network Attached Storage

The Court made the recommendation to the Bureau of Prisons for the Defendant to be designated at a facility that can address his medical needs as stated in the Presentence Report and that the Defendant also be designated at a facility which offers a sex offender treatment program.

The Court acknowledged the victims listed on the various case documentation and granted a Stay Away Order for the victim named "Vicky."

Defendant was ordered to self-surrender to the designated Bureaus of Prison facility on April 7, 2023.

See Judgment for special conditions.

CASE CONTINUED: 3/24/2023 at 12:00 PM for In-Person Restitution hearing.